

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

JUSTIN McCULLY,

Petitioner,

v.

RONALD OLIVER, et al.,

Respondents.

Case No. 3:24-cv-00497-ART-CLB

ORDER

On November 7, 2024, the court entered an order giving the petitioner, Justin McCully, 30 days to either pay the standard \$5.00 filing fee for his habeas corpus petition or file an *in forma pauperis* application that includes a: (a) financial certificate signed by McCully and an authorized prison official, (b) financial declaration and acknowledgement signed by McCully, and (c) copy of McCully's inmate account statement for the six-month period prior to filing. (ECF No. 4.) McCully has not complied with the court's order within the allotted time, so the court will dismiss this action.

It is therefore ordered that this action is dismissed without prejudice for McCully's failure to comply with the court's order. The Clerk of the Court shall enter judgment accordingly and close this case.

It is further ordered that no certificate of appealability shall issue as reasonable jurists would not find this decision to be debatable or wrong.

It is further ordered that McCully's incomplete application to *proceed in forma pauperis* (ECF No. 1) filed at the outset of this proceeding is denied.

1 It is further ordered that the Clerk shall add Aaron D. Ford, Nevada  
2 Attorney General, as counsel for Respondents, and electronically serve upon  
3 Respondents a copy of this order. No response is necessary.

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5 DATED: January 8, 2025.

A handwritten signature in black ink, appearing to read "Anne R. Traum".

7 ANNE R. TRAUM  
8 UNITED STATES DISTRICT JUDGE  
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